

REMARKS

The following remarks are submitted to address the issues raised in the Office Action mailed on November 17, 2004. After entry of the foregoing amendments, claims 1-5, 7-14, and 16-17 are pending in the application, claims 6, 15, and 18 having been cancelled without prejudice. Claims 1, 2, 4, 5, and 13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Schiff. Claims 1, 3-5, 8, 9, and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Borla in view of Schiff. Claims 8 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Schiff in view of Borla. Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Borla in view of Schiff and Bauerle et al. Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Borla in view of Schiff. Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schiff in view of Borla.

Applicant respectfully requests reconsideration of the application in light of the foregoing amendments and following remarks.

Claim Amendments

Claim 1 has been amended to recite the limitations previously found in claim 6, claim 14 has been amended to recite the limitations previously found in claim 15 and claim 17 has been amended to recite the limitations previously found in claim 18, all of which the Examiner has indicated would be allowable if rewritten to include all of the limitations of the base claim. This having been done, Applicant believes claims 1, 14, 17, and all claims dependant thereon, are allowable.

Claim 11 has been amended to correct the language used therein with respect to the geometry of the cross sectional area of the separator element. Applicant thanks the Examiner for pointing out this inconsistency and correctly interpreting the intent of the claim for examination purposes.

Claim Rejections – 35 U.S.C. § 102(b)

Claims 1, 2, 4, 5, and 13 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Schiff. Applicant respectfully asserts that the rejections under 35 U.S.C. § 102(b) have been rendered moot in light of the above amendments.

Claim 1 has been amended to recite the limitation of claim 6, as discussed above. Schiff does not disclose or suggest a separator element for separating liquid from a gas flow comprising a body portion consisting at least in part of filter media mountable in a separator housing and having opposing upper and lower ends and a curved side extending between the opposing ends, wherein the curved side rotates 360° about a central axis of the body portion to form a curved surface of the body portion, and wherein one of the upper and lower ends further comprises an inlet for receiving the gas flow from a communicating inlet of the separator housing. As such, Applicant does not believe Schiff anticipates claim 1, as amended.

Claims 2-5 and 7-13 all depend from claim 1. Thus, because claims dependant upon a novel base claim must be novel themselves, these claims are believed to be novel in light of Schiff. Therefore, the Examiner is respectfully requested to withdraw the rejection to claims 1, 2, 4, 5, and 13 under 35 U.S.C. § 102(b).

Claim Rejections – 35 U.S.C. § 103(a)

Claims 1, 3-5, 8, 9, and 13 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Borla in view of Schiff. Claims 8 and 9 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Schiff in view of Borla. Claim 14 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Borla in view of Schiff and Bauerle et al. Applicant respectfully asserts that the rejections under 35 U.S.C. § 103(a) have been rendered moot in light of the above amendments.

Claim 1 has been amended to recite the limitation of claim 6, and claim 14 has been amended to recite the limitation of claim 15. No combination of Borla, Schiff and/or Bauerle et al. disclose or suggest a separator element comprising a body

portion consisting at least in part of filter media mountable in a separator housing and having opposing upper and lower ends and a curved side extending between the opposing ends, wherein the curved side rotates 360° about a central axis of the body portion to form a curved surface of the body portion, and wherein one of the upper and lower ends further comprises an inlet for receiving the gas flow from a communicating inlet of the separator housing. As such, Applicant does not believe any combination of Borla, Schiff and/or Bauerle et al. render claims 1 or 14, as amended, unpatentable.

Claims 1, 3-5, 8, 9, and 13 all depend from claim 1. Thus because claims dependant upon a novel base claim must be novel themselves, these claims are believed to be novel in light of Schiff. Therefore, the Examiner is respectfully requested to withdraw the rejection to claims 1, 3-5, 8, 9, and 13 under 35 U.S.C. § 103(a).

Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Borla in view of Schiff. Claim 17 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Schiff in view of Borla. Applicant respectfully asserts that the rejections under 35 U.S.C. § 103(a) have been rendered moot in light of the above amendments.

Claim 17 has been amended to include the limitations of claim 18. No combination of Borla and/or Schiff disclose or suggest a separator system for separating liquid from a gas flow comprising a separator housing having an inlet for receiving the gas flow and an outlet for allowing the gas flow to exit; at least one separator element disposed within the separator housing having a body portion consisting at least in part of filter media and having opposing upper and lower ends and a curved side extending between the opposing ends, wherein the curved side rotates 360° about a central axis of the body portion to form a curved surface of the body portion, wherein the separator housing has opposing upper and lower ends, and the separator housing outlet is spaced between its upper and lower ends, and spaced away from the upper and lower ends without throttling loss at an outlet port region.

As such, Applicant does not believe any combination of Borla and/or Schiff renders claim 17, as amended, unpatentable. Therefore, the Examiner is respectfully requested to withdraw the rejection to claim 17 under 35 U.S.C. § 103(a).

Conclusion

Applicant respectfully requests early consideration of the present application, entry of all amendments herein requested, and allowance of all pending claims.

The Examiner is respectfully invited to contact Todd W. Galinski at (336) 607-7448, to discuss any matter relating to this application.

Respectfully submitted,

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Todd W. Galinski
Todd W. Galinski (Reg. No. 51,713)

Kilpatrick Stockton LLP
1001 West Fourth Street
Winston-Salem, NC 27101
(336) 607-7300